

DOCKET NO.: 0660-0172-0 CONT *H9*



ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



Re: Serial No.: 09/531,438
Applicants: Maryse GIBERT, et al.
Filing Date: March 20, 2000
For: CLOSTRIDIUM TOXIN, AND
PROCESS FOR THE PREPARATION
OF IMMUNOGENIC COMPOSITION
GAU: 1645
Examiner: V. PORTNER

ATTORNEYS AT LAW

NORMAN F. OBLON
(703) 413-3000
NOBLON@OBLON.COM
KIRSTEN A. GRÜNEBERG, PH.D.
REGISTERED PATENT AGENT
(703) 413-3000
KGRUNEBERG@OBLON.COM

SIR:

Attached hereto for filing are the following papers:

**AMENDMENT AND RESPONSE TO RESTRICTION
REQUIREMENT W/MARKED-UP COPY**

Our check in the amount of \$-0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. **15-0030**. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



22850

NFO:KAG:lcd

I:\user\KGRUN\066001720CONT-PTOCVR.wpd

Kirsten Grueneberg
Norman F. Oblon
Attorney of Record
Registration No.: 24,618

Kirsten A. Grueneberg, Ph.D.
Registration No.: 47,297

RECEIVED
JAN 07 2002
TECH CENTER 1600/2900

DOCKET NO.: 0660-0172-0 CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Maryse GIBERT, et al.

: GROUP ART UNIT: 1645

SERIAL NO.: 09/531,438

:

FILED: March 20, 2000

: EXAMINER: V. PORTNER

FOR: CLOSTRIDIUM TOXIN, AND PROCESS FOR THE PREPARATION OF
IMMUNOGENIC COMPOSITION

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the Official Action dated December 5, 2001, Applicants elect, with
traverse, Group I, Claims 1-17, 19, 24, and 26-37. In addition, please reconsider the
application in view of the following amendment and remarks.

IN THE ABSTRACT

Please insert the following abstract after page 28 on a separate page.

Abstract

Recombinant polypeptides are prepared using novel nucleic acids with transcription
promoter activity. The recombinant cells containing said nucleic acids are described. A
novel method for preparing antigens or antigen fragments, in particular bacterial toxins,
preferably *Clostridium* toxins, for preparing immunogenic and/or vaccine compositions is also
described.

9/43
Harry
Jan. 11, 02

RECEIVED
JAN 07 2002
TECH CENTER 1600/2900



431